

*A Reporter's  
Guide  
To  
The FPPC*



**California  
Fair Political  
Practices Commission**

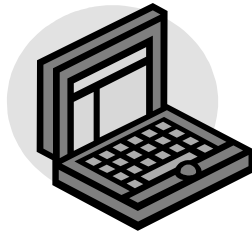
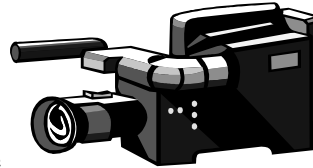
---

### *A note to members of the media...*



This booklet offers basic information for members of the media contacting the California Fair Political Practices Commission. The guide contains brief descriptions of the bipartisan commission and its duties, the general types of public records filed with the agency, and telephone, web site and other resource information for reporters.

This publication is subject to change and is *not* an official summary of California's Political Reform Act, the Public Records Act or the commission's public information and press policies. But it is hoped that the guide will be a useful tool for reporters seeking public information or general facts about the role of the FPPC under California's complex political reform laws.



The guide was produced by the FPPC's public education unit with generous assistance from the agency's press office, Technical Assistance Division, and other staff members. The booklet is available on the FPPC web site, [www.fppc.ca.gov](http://www.fppc.ca.gov), in PDF format. A limited number of printed copies are available and may be requested by writing:

Fair Political Practices Commission  
Public Education Unit  
428 J Street, Suite 620  
Sacramento, CA 95814

### Quick Reference Guide

- Reporters contacting the FPPC by telephone should call the FPPC press office at **1-916-322-7761**. The office is staffed by a full-time media director, who is assisted by other staff members. The press office fax number is **1-916-322-4236**.
- Reporters can access the FPPC's web site at [www.fppc.ca.gov](http://www.fppc.ca.gov). The site's **press center**, containing the latest news releases, meeting agendas and other information, can be accessed by clicking on the "press center" tab near the top of the home page. A "**What's New at FPPC?**" section, which is updated regularly, can be found on the right side of the home page.
- Reporters are encouraged to cover any of the FPPC's numerous public meetings, including the regular **monthly commission meetings** and "**interested persons**" meetings designed to seek input and feedback from the public and regulated officials on various issues. A schedule of meetings can be obtained on the web site or by calling the press office. Monthly commission meetings are generally held at commission headquarters at **428 J Street, Suite 800, Sacramento**. Broadcast media members may call ahead for sound and lighting information.
- Reporters writing to the FPPC should address their correspondence to:

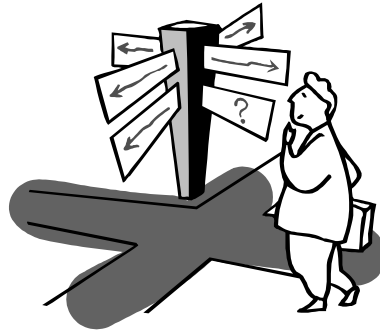
Fair Political Practices Commission  
Media Director  
428 J Street, Suite 620  
Sacramento, CA 95814
- A quiet (though small) **document viewing room**, with displays of numerous FPPC publications, a table and chairs, and a computer with access to the FPPC web site is available for reporters visiting commission headquarters at 428 J Street, Suite 620, Sacramento.
- The **FPPC Bulletin**, published quarterly, contains articles and information about many commission activities and programs. To subscribe, contact the press office or send an e-mail to [bulletin@fppc.ca.gov](mailto:bulletin@fppc.ca.gov).

---

## ***FPPC, FEC, AG, FTB?***

### **...Some “Initial” Answers**

Reporters, particularly those who don't regularly cover state government, often have many basic questions about the FPPC, its duties and its relationship to other agencies.



In brief, California's Fair Political Practices Commission was created by the Political Reform Act of 1974, a Watergate-era ballot initiative passed by California voters as Proposition 9. The commission is a bipartisan, independent body of five members that administers and enforces the Political Reform Act's rules on conflicts of interest, campaign contributions and expenditures and lobbying disclosure. The FPPC is one of the smaller state agencies and has limited resources. Supporting the commission is a staff of about 80 employees in the technical assistance, legal, enforcement, and administration divisions, as well as a small media office and public education unit.

The FPPC educates the public and public officials on the requirements of the Act. It provides written and oral advice to public agencies and officials; conducts seminars and training sessions; develops forms, manuals and instructions, and receives and files economic interests statements from many — *but not all* — state and local officials.

---

The FPPC investigates alleged violations of the Political Reform Act, imposes administrative penalties when appropriate and assists state and local agencies in developing and enforcing conflict-of-interest codes.

The governor appoints two commissioners, including the chairman. The secretary of state, the attorney general and the state controller each appoint one commissioner. Commissioners serve a single, four-year term, and no more than three members can be registered with the same political party. The chairman is salaried and full-time. The other four members serve part-time and receive only minimal stipends for attending meetings.

The FPPC is authorized to take administrative action against violators of the Political Reform Act and to seek civil penalties in the courts.

The commission *does not* have the power to prosecute under criminal law, although it can refer cases to district attorneys for such action. The commission *does not* have authority to investigate Public Records Act violations and certain other issues that frequently arise during political campaigns. The state attorney general, the Franchise Tax Board, the secretary of state, local ethics agencies and many other government entities also have roles relating to the Political Reform Act. Reporters with specific questions about jurisdiction should contact the FPPC press office or the individual agency directly.

The FPPC *does not* have jurisdiction over federal candidates or federal election law. Those fall under the purview of the Federal Election Commission (FEC), located in Washington, D.C. (The FEC web site, [www.fec.gov](http://www.fec.gov), also includes a media guide).

---

## About FPPC Press Policies

### (And Some Tips for Requesting Information)

The FPPC publishes its press policies for everyone to see. Subject to change, the policy can be found in the “press center” section of the commission’s web site, [www.fppc.ca.gov](http://www.fppc.ca.gov). Reporters may also request a copy by writing or calling the press office.

### **Enforcement Matters**

Many reporters’ questions to the FPPC involve complaints or other allegations of violations of the Political Reform Act. In brief, the press policy of the Fair Political Practices Commission is to answer reporters’ questions as accurately, thoroughly and promptly as possible, within the limitations applied to public disclosure of information about enforcement complaints or investigations. The FPPC will not discuss details of ongoing complaints or investigations. We will neither confirm nor deny that a complaint has been received or an investigation is being conducted.

This long-held policy stems from the need to protect the integrity of an investigation, including the confidentiality of complainants, witnesses and individuals under investigation, as well as to ensure due process for those accused of violating the Political Reform Act. We can discuss general, relevant provisions of the Political Reform Act, but cannot address any specific factual details surrounding an alleged complaint or investigation.

Completed investigations and staff recommendations for action are presented to the commission for approval. This information is included in the agenda materials that are released 10 days before the commission’s monthly

---

## Media information...

meetings. Agendas are distributed and faxed to the news media, as well as posted on our web site at [www.fppc.ca.gov](http://www.fppc.ca.gov). Additional agenda-related materials are available in the eighth-floor lobby of the FPPC offices or on our web site.

Press releases on enforcement actions are distributed and posted on our web site following commission meetings. These summaries contain the names of the individuals and/or groups fined, the violations of the Political Reform Act and the amount of the fines. Enforcement actions also are summarized in the quarterly *FPPC Bulletin*.

Once a case is closed, a member of the public may request access to information in the case file by making a request to the FPPC under the Public Records Act. Written media requests under the Public Records Act for closed case information should be sent to the media director by fax at (916) 322-4236, or by regular mail addressed to the Fair Political Practices Commission, 428 J Street Suite 620, Sacramento, CA 95814. The FPPC does not accept Public Records Act requests by e-mail. Copies of 10 pages or fewer are provided without charge. For documents in excess of 10 pages, the FPPC charges 10 cents per page. Alternatively, those seeking records may provide their own copying equipment and make the copies in the FPPC offices.

### **Statements of Economic Interests**

Many reporters' questions to the FPPC media office involve statements of economic interests. Thousands of

*(Continued on next page)*

---

## Media information...

state and local government officials from throughout California (ranging from local department heads to the governor) are required by the Political Reform Act to file these forms and disclose certain personal financial interests, such as ownership of shares of stock. These statements are sometimes referred to as “SEIs” or “form 700s.”

The agencies that retain filed statements, including the FPPC, must make them available for public inspection or reproduction during regular business hours no later than the second business day after they are received. No conditions may be imposed on individuals who wish to review copies of statements, and no identification may be required. Copies must be provided for no more than 10 cents per page (plus a \$5 retrieval fee if the statements are five or more years old). (See Government Code section 81008.) Reporters seeking to review statements of economic interests filed with the FPPC can view them in person at agency headquarters, but please call ahead to the media office so the file(s) can be pulled. Or, reporters can ask to have copies mailed or faxed. Due to staff limitations, it may take longer to fulfill requests for multiple forms or when there are many other requests pending.

### **Where to find Statements of Economic Interests**

Questions or confusion may arise over where statements of economic interests are filed. Most public officials and employees file their completed statements of economic interests with their own agency. Candidates file their statements of economic interests with their election official, such as their registrar of voters or city clerk. Original statements filed by state elected officials and



---

## Media Information...

most local elected officials, candidates, judges, and high-ranking state officials are forwarded by the agency or election official to the FPPC. Copies of statements forwarded to the FPPC can be obtained either from the filer's agency or the FPPC.

Specifically, the Political Reform Act (Gov. Code sections 81000-91014) requires certain state and local public officials to disclose certain personal financial interests in order that conflicts of interest may be avoided. These disclosure reports, the statements of economic interests, are filed on FPPC form 700. Filers must sign the form under penalty of perjury.

Approximately 20,000 of these forms are filed each year with the FPPC, including amendments. Most of the statements filed with the FPPC are originally filed with an "intermediary" filing official within the filer's agency, who then forwards the statement to the FPPC.

In addition, there are more than 7,000 state and local agencies that receive statements of economic interests filed by their officials and employees. Each agency must specify which of its positions are subject to filing requirements and what must be disclosed. The agencies include this information in a conflict-of-interest code. Conflict-of-interest codes are public documents and can be requested from agencies at any time. The FPPC also has a program underway to provide a public repository for many of these codes.

*(Continued on next page)*

---

## Media Information...

Here are a few examples of how the statements of economic interests (form 700s) are filed:

- The Siskiyou County Fire Services District is a local government agency and has adopted a conflict-of-interest code. The conflict-of-interest code specifies where forms are retained.
- City Councilperson Jones is specified in section 87200. He files his form 700 with the city clerk (filing official), who retains a copy and forwards the original to the FPPC (filing officer). The city clerk also receives and retains forms filed by employees of city agencies who have been designated in the city's conflict-of-interest code. For the employees' forms, the city clerk is the filing "officer."
- State Senator Smith is an official specified in Gov. Code section 87200. She files her form 700 with the secretary of the senate (filing official), who retains a copy and forwards the original to the FPPC (filing officer).
- The Department of Social Services is a state agency and has adopted a conflict-of-interest code designating those positions within the agency that must file form 700. The code requires the forms to be filed with the agency's personnel division. However, the code also states that the personnel division will retain a copy of the forms filed by the director and chief deputy director and forward the originals to the FPPC. The personnel division is the filing "officer" for forms filed by the employees and is the filing "official" for the director and chief deputy director. The FPPC is the filing "officer" for the director and chief deputy director.

---

## Media Information...

Original statements for the following filers (including candidates for elective offices listed) are forwarded to the FPPC:

### **State Offices**

Governor

Lieutenant governor

Attorney general

Controller

Insurance commissioner

Secretary of state

Treasurer

Members of the state legislature

Superintendent of public instruction

State Board of Equalization members

Public utilities commissioners

State energy resources conservation and development  
commissioners

State coastal commissioners

State agency secretaries, department directors, and  
officials who manage public investments

Members of various state boards and commissions

Regents of the University of California

CalPERS board members

### **Judicial Offices**

Supreme, appellate and superior court judges

Court commissioners

### **County and City Offices**

Members of boards of supervisors

Mayors and members of city councils

Chief administrative officers

District attorneys

*(Continued on next page)*

---

## Media Information...

County counsels  
City attorneys  
City managers  
Planning commissioners  
County and city treasurers

Statements filed by most other state and local officials and employees are retained where the official or employee works. If in doubt about where to find a particular statement of economic interests, call the FPPC media office for assistance.

*An important note:* statements of economic interests forms are sometimes informally called “conflict-of-interest statements.” *But note that the forms don’t in themselves disclose any conflicts of interest — only personal financial interests.* Any conflict of interest under the Political Reform Act can only come about if a public official makes or participates in making a government decision that has a reasonably foreseeable material financial effect on the official’s personal financial interests. The law does not require all personal financial interests (such as ownership of a personal residence) to be disclosed on the statement of economic interests. The law does not require all public employees to file statements of economic interests.

*The **purposes** of California's Political Reform Act are described in the initiative's preamble, including:*

"Receipts and expenditures in election campaigns should be fully and truthfully disclosed in order that the voters may be fully informed and improper practices may be inhibited."

"The activities of lobbyists should be regulated and their finances disclosed in order that improper influences will not be directed at public officials."

"Assets and income of public officials which may be materially affected by their official actions should be disclosed and in appropriate circumstances the officials should be disqualified from acting in order that conflicts of interest may be avoided."

---

## Media Information...

### Where To Find Campaign Reports

Campaign disclosure reports are *not* filed with the Fair Political Practices Commission. Many reports, including statewide and legislative campaigns and late contributions, *are* filed with the secretary of state's office and can be accessed on line at that agency's web site:

*<http://www.ss.ca.gov/prd/prd.htm>*

Examples of filing requirements include:

- Statewide candidates and officeholders, supreme court justices, state ballot measure committees, and other committees that support or oppose state candidates and ballot measures, or that support or oppose candidates and ballot measures in more than one county, file campaign reports with the *secretary of state* and the *election officials for the counties in which they are domiciled*.

State committees that receive contributions or make expenditures that total over \$50,000 or more must file on-line with the secretary of state's office. They also file with:

Registrar-Recorder of  
Los Angeles County  
Campaign Reporting Unit  
12400 Imperial Highway  
Norwalk, CA 90650  
Phone (562) 462-2339  
Fax (562) 651-2548  
*[www.co.la.ca.us/regrec/main.htm](http://www.co.la.ca.us/regrec/main.htm)*

---

## Media Information...

And with:

Department of Elections  
City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place,  
City Hall - Room 48  
San Francisco, CA 94102  
Phone (415) 554-4375  
Fax (415) 554-7344  
[www.ci.sf.ca.us/election](http://www.ci.sf.ca.us/election)

- State legislative officeholders and candidates, state Board of Equalization members and candidates, appellate court justices, and superior court judges and candidates file with the *secretary of state*, the *election official for the county with the largest number of registered voters in the district* and their *counties of domicile*.
- Elected officers and candidates for offices in jurisdictions that contain parts of two or more counties (other than legislative, Board of Equalization, or appellate court districts) file with the *election official for the county with the largest number of registered voters in the district* and their *counties of domicile*.
- Elected county officeholders and candidates for county offices, and committees that support or oppose candidates or ballot measures being voted on within a single county file with the *election official for that county*.
- Elected city officeholders and candidates for city offices, and committees that support or oppose candidates and ballot measures in a single city file with the *city clerk*.

**FPPC On Line**  
***www.fppc.ca.gov***



The FPPC, as part of its public education efforts, recently upgraded its web site. The emphasis is not on flashy graphics but on providing users with a fully accessible site that provides the most complete, up-to-date information possible. Many reporters' questions can be answered with information found on the site.

The site includes, among other things:

- Press releases
- Fact sheets outlining the rules concerning: campaign disclosure, lobbyist, conflicts of interest, and gift limitations
- Summaries of enforcement decisions
- Downloadable forms and publications
- The Political Reform Act
- FPPC regulations, including newly adopted rules
- Meeting agendas and summaries
- Current and past issues of the *FPPC Bulletin*



---

## **Enforcement Division Procedures For Investigations**

*Many press questions directed to the FPPC media office involve the procedures for investigating alleged violations of the Political Reform Act. Here is a brief outline:*

When the FPPC receives a complaint, enforcement division personnel open a file on the complaint, enter it into a computer database and complete an initial screening to determine if the matter is appropriate for further investigation. For example, a complaint alleging a violation of California's open meeting law may not fall under the jurisdiction of the FPPC and is closed at this point. Frequently, the initial review is based solely on the strength of the complaint and any supporting documents that are submitted. But enforcement division personnel may also do further legal study, investigation and interviews at this stage.

The enforcement division sends a letter acknowledging receipt of each properly filed complaint, even one that is closed prior to a full investigation. The letter is usually written within 14 days of receipt of the complaint. If staff close your complaint without an investigation because it alleges violation of a law outside of the FPPC's jurisdiction—such as the Public Records Act—the initial letter will explain the action.

### ***What happens when there is an investigation?***

A complaint found to merit a full investigation is assigned to a staff attorney, and an investigator or an accounting specialist or both. The personnel may obtain additional documents, interview witnesses, including the person alleged to have violated the act, and issue subpoenas.

---

### *What happens after an investigation?*

There are several possible outcomes once a full investigation is completed. FPPC commissioners may be asked by staff to approve a settlement agreement in which the subject of the investigation agrees to pay an administrative fine or take other remedial action. The case may be closed for lack of supporting evidence or other reasons. Or, the case may enter a formal process that can result in an administrative prosecution by the division and a hearing before an administrative law judge and possibly the full commission. Finally, the commission may levy fines, dismiss the case or take other appropriate action.

In some cases, the FPPC may prosecute a case by filing a civil lawsuit in the courts. The FPPC also may refer the case to a district attorney or the attorney general for criminal prosecution.

### *Protecting the integrity of the process*

A complete investigation and resolution of a complaint may take months or—in rare cases—years. To protect the integrity of the investigation and the due process rights of the accused, the commission does not provide status reports on active investigations to individuals who file complaints, the media or the general public. With very limited exceptions, the commission will neither confirm nor deny the existence of any complaint until after the case is closed, a formal administrative accusation is issued, a civil complaint is filed, or a proposed settlement agreement is presented to the commission.

All filers of complaints will be informed in writing about the final outcome of the case – what the agency did and why it did it.

## ***Other Resources For Reporters***

*The agencies listed here may be able to provide answers to your questions about campaign and lobbyist reports, federal election issues, criminal prosecution of campaign law violations and other issues.*

The **California Secretary of State's Office** issues ID numbers to campaigns and committees, registers lobbyists, receives campaign and lobbying disclosure reports, provides technical assistance to filers, and maintains disclosure reports for public access.

California Secretary of State  
Political Reform Division  
1500 11<sup>th</sup> Street, Room 495  
Sacramento, CA 95814  
TEL: (916) 653-6224  
FAX: (916) 653-5045  
<http://www.ss.ca.gov/prd/prd.htm>  
MEDIA TEL: (916) 653-6575

The **Federal Election Commission (FEC)** administers and enforces the federal statute that governs the financing of federal elections, including races for the House of Representatives, the U.S. Senate, and president.

Federal Election Commission  
999 E Street, NW  
Washington, DC 20463  
TEL: (800) 424-9530  
(202) 694-1100  
TTY (202) 219-3336  
<http://www.fec.gov> (a media guide link is on the home page)

The **attorney general** is the elected head of California's Department of Justice. The attorney general represents the people of California before trial, appellate, and supreme courts of California and the United States in criminal and civil matters; serves as legal counsel to state officers, boards, commissions, and departments; and assists district attorneys in the administration of justice.

Office of the Attorney General  
Department of Justice  
1300 I Street  
P.O. Box 944255  
Sacramento, CA 94244-2550  
TEL: (916) 445-9555  
(800) 952-5225  
MEDIA TEL: (916) 324-5500  
<http://caag.state.ca.us>

Your **local district attorney** is responsible for prosecuting criminal violations of state laws. For contact information, check local directory listings under county offices.

#### **State Franchise Tax Board**

Phone (800) 338-0505  
[www.ftb.ca.gov](http://www.ftb.ca.gov)

Committee Tax Status  
Tax Deductible Contributions  
Charitable Non-Profit Groups  
Other Tax-Related Questions

#### **Internal Revenue Service**

Phone (800) 829-1040  
[www.irs.ustreas.gov](http://www.irs.ustreas.gov)

Federal Taxpayer I.D. Numbers

*(Continued on next page)*

Any Other Tax-Related Questions

**Council on Governmental Ethics Laws (COGEL)**

Web: [www.cogel.org](http://www.cogel.org).

Provides links to many other state ethics and campaign finance commissions.

---



*The document viewing room is available for reporters who visit FPPC headquarters in Sacramento.*

***Local Government  
Ethics Agencies/Commissions:***

**City of Berkeley: Fair Campaign Practices Commission**

Office of the City Attorney

Tel: (510) 981-6950

Fax: (510) 981-6960

Web: [www.ci.berkeley.ca.us/commissions/faircampaign/default.htm](http://www.ci.berkeley.ca.us/commissions/faircampaign/default.htm)

**City of Los Angeles:**

**The Los Angeles City Ethics Commission**

Tel: (213) 978-1960

Fax: (213) 978-1988

Web: [www.lacity.org/eth](http://www.lacity.org/eth)

**City of Chula Vista: Board of Ethics**

Tel: (619) 585-5667

Fax: (619) 476-5305

**City of San Jose:**

**Campaign Finance Review and Ethics Board**

Tel: (408) 277-4424

Fax: (408) 277-3285

**City of Oakland: Oakland Public Ethics Commission**

Tel: (510) 238-3593

Fax: (510) 238-3315

Web: [www.oaklandnet.com/government/government10.html](http://www.oaklandnet.com/government/government10.html)

**City and County of San Francisco:**

**San Francisco Ethics Commission**

Tel: (415) 581-2300

Fax: (415) 581-2317

Web: [www.ci.sf.ca.us/ethics](http://www.ci.sf.ca.us/ethics)

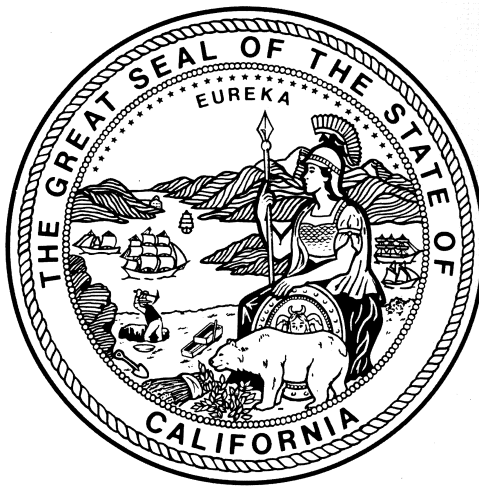
**City of San Diego: San Diego Ethics Commission**

Tel: (619) 533-3476

Fax: (619) 533-3448

Web: [www.sannet.gov/ethics/index.shtml](http://www.sannet.gov/ethics/index.shtml)





California  
Fair Political Practices Commission

6/20/02